

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Suits-SRBC, Nandyal-O.P.No. 470/02 & batch (20 Ops) of Senior Civil Judge, AllgaddaAlvakonda Village-Sanjamala Mandal-Enhancement made by the Lower Court to Rs. 80,000/- per acre as against the market value of Rs. 38,000/- per acre fixed by LAO- Percentage of enhancement 110.52% budget proposals -Sanctioned orders-Issued

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 171

Dated:20-03-2010

Read the following:

- 1) From the Special Collector, SSP, Kurnool Lr.Rc.B7/476/2008, Dated: 7.6.2008
- 2) From the Spl. C.S. to Government & CCLA, Hyderabad Lr.No. SRP 4/678/2008, Dated: 19.7.2008

O R D E R:

The Special Collector, Srisailam Project, Kurnool and Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P. Hyderabad in their letters 1st and 2nd read above has reported that the lands in Sy.NO.1004/1B, Extent 9.31 acres of Alavakonda village of Sanjamala Mandal of Kurnool District for the purpose of excavation of 5L Minor and 8R Minor of Block No. XIV of SRBC in Award No.26/2001, dated 14.11.77.8.11.2001 by fixing the Market Value @ Rs.38,000/- per acre in the Award. The Awardees received compensation under protest and filed petitions U/s. 18 of L.A. Act to refer their cases to Civil Court for proper adjudication of market value. On reference to Court, the Senior Civil Judge, Allagadda has taken them on file and delivered judgment in O.P.No. 470/2002 & batch dated: 11.12.2007 enhancing the market value from Rs. 38,000/- to 80,000/- per acre. No appeal was filed against the orders of the Senior Civil Judge, Allagadda post is fair and not against the Law and weight of evidence and it has become necessary to take steps to deposit the amount in the court, immediately.

The Special Collector, Srisailam Project, Kurnool has requested for sanction of an amount of **Rs. 10,10,402/- (Rupees Ten lakhs Ten thousands Four Hundred Two only)** towards decretal charges to deposit the same in the Civil Court for payment of decretal Charges to the claimants as ordered by the Court in **Award No.26/2001, dated: 8.11.2001** against the **O.P.No.470/2002 & batch.** The CCLA, A.P. Hyderabad has recommended for an amount of Rs. 10,10,402/-.

After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 10,10,492/- (Rupees Ten lakhs Ten thousands Four hundred and ninety two only) towards final decretal charges to be deposited in Lower Court to the credit of O.P. No. 470/ 2002 and batch (20 OPs pertaining to Alvakonda Village, Sanjamala Mandal in Kurnool District for the purpose of excavation of 5L Minor 8R Minor of Block No. XIV under SRBC, subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Special Collector, Kurnool should verify the calculations made by the SDC, SRBC, Nandyal, once again thoroughly

with reference to the decree and instructions issued by the Govt /CCLA, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules, before depositing the amount in the Lower Court.

The Special Collector, Srisailam Project, Kurnool is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges, if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated: 30.4.2007 in W.P. No. 2181/2005 in depositing the above sanctioned decretal amount in the respective court.

The amount sanctioned in para (3) above shall be debited to the detailed Head of Account "2701 –COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 –SRBC; G.H. 11- Normal State Plan; S.H. (27) Canals and Distributaries'; 530 Major Works; 532 – Lands (charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This order issues with the concurrence of Finance (W & P) Department vide their U.O.No. 171/ F4/A1/10-1, Dated: 4.2.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To

The Special Chief Secretary & CCLA, A.P. Hyderabad
The Special Collector, Srisailam Project, Kurnool
The District Collector, Kurnool
The Chief Engineer, Irrigation, Hyderabad
The Special Deputy Collector, L.A, S.R.B.C, Kurnool
The Revenue Divisional Officer, Kurnool
The Superintending Engineer, I & CAD, Kurnool
The Director of Works and Accounts, Hyderabad

Copy to

P.S. to Minister (M & MI)
Law Department/Finance (W&P) Department
C.No. 20853/L.A,II/A1/2009
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//FORWARDED BY ORDER//

SECTION OFFICER